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U.S.D.C., Eastern District of New York

August 4, 2025

VIA ECF

Honorable James R. Cho
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Charles Saldarriaga v. The City of New York, et al.,
No. 25-CV-1115 (RPK)(JRC)

Dear Judge Cho,

I am the Plaintiff, Charles Saldarriaga, *pro se* and proceeding *in forma pauperis*. I submit this letter to respectfully request a third extension of time to serve the remaining defendants, Det. Leonardo Moscoso and Officer Mohammad F. Hossain, in the above referenced matter. A second request for extension of time to serve was granted (See ECF #22). Corporation Counsel consent to this request.

Background, On March 5, 2025, the Court directed issuance of summonses and ordered the U.S. Marshals Service (“Marshals”) to serve the complaint and summons on Defendants. Those initial summonses were returned unexecuted as to Defendants Moscoso and Hossain on April 1, 2025. On May 13, 2025, the Court granted my first request for extension and directed service be completed by July 14, 2025. The summonses were reissued on May 15, 2025; however, the Marshals still has not executed service. I filed a second request for extension which the Court granted on July 10, 2025, extending the deadline to August 5, 2025.

Although I have done my utmost to facilitate service, the Marshals’ continued inability to effectuate service is beyond my control. Specifically:

1. On June 30, 2025, I contacted Corporation Counsel, and updated addresses were provided.
2. I independently confirmed service protocols: Sergeant Teti (109th Precinct) accepts service for Officer Hossain between 8 a.m.–11 a.m., and administrative staff will deliver the summons; One Police Plaza will accept service for Det. Moscoso.

3. The existing summonses issued July 11, 2025 (See ECF #24) reflect the correct addresses.

Despite these confirmations, the Marshals report no record of service, and no returns executed or unexecuted have been filed on the docket to date.

Good Cause for Extension

Under Rule 4(m), IFP plaintiffs rely on the Marshals Service to complete service, and courts routinely extend time when delays result from Marshal Service processing. My prior extensions and the Marshals' administrative delays demonstrate good cause. I have acted diligently at every step: securing updated addresses, confirming acceptance procedures, and reissuing summonses promptly. Because these delays are neither my fault nor foreseeable, I respectfully request the additional thirty days contemplated by Rule 4(m).

For the foregoing reasons, I respectfully request that the Court grant a third extension of time to serve the remaining Defendants until September 4, 2025. No reissuance of summonses is necessary: the existing July 11 summonses remain valid, bear accurate addresses, and reissuing would be redundant and risk further administrative delay.

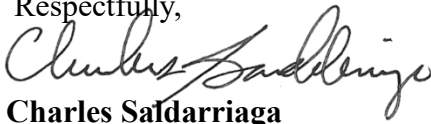
I appreciate and thank the Court's consideration of this request.

Cc: **VIA ECF & FIRST CLASS MAIL**

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Respectfully,


Charles Saldarriaga
Plaintiff, Pro Se